

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE APPLICATION OF )  
TALKNOW, INC. FOR A CERTIFICATE OF )  
AUTHORITY TO PROVIDE INTEREXCHANGE )  
TELECOMMUNICATIONS SERVICES IN )  
SOUTH DAKOTA )**

**ORDER GRANTING  
CERTIFICATE OF  
AUTHORITY  
  
TC01-153**

On September 27, 2001, the Public Utilities Commission (Commission), in accordance with SDCL 49-31-3 and ARSD 20:10:24:02, received an application for a certificate of authority from TalkNow, Inc. (TalkNow).

TalkNow proposes to offer interexchange services, including 1+ and 101XXXX outbound dialing, 800/888 toll-free inbound dialing, directory assistance, data services and travel card services. A proposed tariff was filed by TalkNow. The Commission has classified long distance service as fully competitive.

On October 4, 2001, the Commission electronically transmitted notice of the filing and the intervention deadline of October 19, 2001, to interested individuals and entities. No petitions to intervene or comments were filed and at its October 23, 2001, meeting, the Commission considered TalkNow's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that TalkNow not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. Commission Staff further recommended a waiver of ARSD 20:10:24:02(8).

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that TalkNow has met the legal requirements established for the granting of a certificate of authority. TalkNow has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Further, the Commission finds that there is good cause to waive ARSD 20:10:24:02(8). The Commission approves TalkNow's application for a certificate of authority, subject to the condition that TalkNow not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. As the Commission's final decision in this matter, it is therefore

ORDERED, that TalkNow's application for a certificate of authority is hereby granted, effective November 27, 2001, subject to the condition that TalkNow not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. It is

FURTHER ORDERED, that TalkNow shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 31st day of October, 2001.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: \_\_\_\_\_

Date: \_\_\_\_\_

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

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JAMES A. BURG, Chairman

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PAM NELSON, Commissioner